

w/o

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI**

**DIVISION: 6**

**by HON. WARREN R. DARROW**

**CASE NO. P1300CR20081339**

**JEANNE HICKS, CLERK**

**By: Rachel Roche, Deputy Clerk**

**DATE: July 23, 2010**

**FILED**

**DATE: July 23, 2010**

**4:34 O'Clock P.M.**

**JEANNE HICKS, CLERK**

**BY: Rachel Roche**

**Deputy**

**TITLE:**

**STATE OF ARIZONA**

(Plaintiff)

**vs.**

**STEVEN CARROLL DEMOCKER**

(D-1)

**COUNSEL:**

**Yavapai County Attorney (e)**

(For Plaintiff)

**John Sears (e)**

**Larry Hammond & Anne Chapman (e)**

**OSBORN MALEDON, P.A.**

(For Defendant)

**HEARING ON:**

Jury Trial – Day 28

**NATURE OF PROCEEDINGS**

**COURT REPORTER**

Mina Hunt & Roxanne Tarn

**START TIME: 9:07 a.m.**

**APPEARANCES:** Joseph Butner, Deputy County Attorney  
Jeff Paupore, Deputy County Attorney  
Steven DeMocker, Defendant  
John Sears, Counsel for Defendant  
Larry Hammond, Counsel for Defendant  
Anne Chapman, Counsel for Defendant

Court convenes with the presence of the Defendant, all Defense Counsel and both Deputy County Attorneys.  
The Jury is not present.

Discussion takes place with regard to Jury questions and scheduling issues.

~\*~\*~\*~\*~ Recess – 9:15 a.m. ~\*~\*~\*~\*~

At 9:16 a.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

The Court addresses the Jury.

Luis Huante, having been previously sworn, resumes the witness stand and testifies further.

Court and Counsel hold a discussion at sidebar, off the record, to discuss questions from the Jury.

The witness is reminded of the rule excluding witnesses and is excused, but remains subject to recall.

Marjorie Powell is sworn and testifies.

Court and Counsel hold a discussion at sidebar, off the record, to discuss a question from the Jury.

The witness testifies further.

The witness is reminded of the rule excluding witnesses and is excused.

~\*~\*~\*~\*~ Recess – 10:25 a.m. ~\*~\*~\*~\*~

At 10:52 a.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

Lila Farr is sworn and testifies.

The witness is reminded of the rule excluding witnesses and is excused.

The Jury is reminded of the admonition.

~\*~\*~\*~\*~ Recess – 11:42 a.m. ~\*~\*~\*~\*~

At 1:04 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel and both Deputy County Attorneys. The Jury is not present.

Discussion takes place with regard to testimony of upcoming witnesses.

Discussion takes place with regard to a question from the Jury.

~\*~\*~\*~\*~ Recess – 1:27 p.m. ~\*~\*~\*~\*~

At 1:45 p.m., Court reconvenes in chambers with the presence of all Defense Counsel and both Deputy County Attorneys. The Jury is not present. The Defendant's presence is waived.

Discussion takes place with regard to the testimony of upcoming witnesses.

The Court indicates that it stands by the previous ruling with regard to Theresa Kennedy's testimony.

~\*~\*~\*~\*~ Recess – 2:10 p.m. ~\*~\*~\*~\*~

At 2:15 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

The Court addresses the Jury.

Theresa Kennedy is sworn and testifies.

Exhibit 2653 is admitted into evidence over objection by Defense Counsel.

Exhibit 2515 is admitted into evidence without objection.

Exhibit 2516 is admitted into evidence over objection by Defense Counsel.

Exhibit 2517 is admitted into evidence without objection.

Exhibit 2518 is admitted into evidence over objection by Defense Counsel.

Exhibit 2647 is admitted into evidence over objection by Defense Counsel.

Exhibit 2519 is admitted into evidence without objection.

The Jury is reminded of the admonition.

~\*~\*~\*~\*~ Recess – 3:18 p.m. ~\*~\*~\*~\*~

At 3:19 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel and both Deputy County Attorneys. The Jury is not present.

Discussion takes place with regard to the testimony of the current witness.

~\*~\*~\*~\*~ Recess – 3:25 p.m. ~\*~\*~\*~\*~

At 3:46 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

Theresa Kennedy resumes the witness stand and testifies further.

Court and Counsel hold a discussion at sidebar, on the record.

The witness testifies further.

Exhibit 2520 is offered. Defense Counsel objects. The objection is overruled and Exhibit 2520 is admitted into evidence with regard to the testimony regarding track one.

Exhibit 2522 is offered. Defense Counsel objects. The exhibit is not admitted at this time and Counsel request to discuss the matter further.

The Jury is reminded of the admonition and informed that the trial will resume at 9:00 a.m. on Tuesday.

~\*~\*~\*~\*~ Recess – 4:17 p.m. ~\*~\*~\*~\*~

At 4:18 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the witness, Theresa Kennedy. The Jury is not present.

Discussion takes place with regard to Theresa Kennedy's testimony and Exhibit 2522.

At 4:32 p.m., the witness is reminded of the admonition and is excused.

Discussion takes place with regard to previous rulings in this matter.

**END TIME: 4:34 p.m.**

cc: VS (e)  
Dean Trebesch (Contract Administrator) (PD) (e)  
Division 6  
YCSO (e)  
John Napper, Counsel for Renee Girard (e)  
Christopher DuPont, Trautman DuPont PLC (e),  
Counsel for Victims Charlotte and Katherine DeMocker